

Remarks

Reconsideration of the application, as currently amended, is respectfully requested. Claims 1, 13, and 35 have been amended. Claims 4 and 18 have been canceled without prejudice or disclaimer. Claims 1-3, 5-17, 19-36, and 38-41 are currently pending in the application. Applicant respectfully submits that no new matter has been added.

Claims 7-12, 25-34, and 36 have been indicated to be allowable. Dependent claims 5, 14-16, and 18-19 have been indicated to contain allowable subject matter if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant appreciates the Examiner's indication of allowable subject matter.

Claims 1, 3, 6, and 35 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,516,185 to MacNally ("MacNally"). In response, Applicant has amended claim 1 to include features of dependent claims 4 and 18, which have now been canceled. Dependent claim 18 has been indicated by the Examiner to represent allowable subject matter. Applicant respectfully submits that amended claim 1 distinguishes over MacNally and is in condition for allowance. Withdrawal of the rejection of amended claim 1 as anticipated by MacNally is respectfully requested.

Dependent claims 3 and 6 depend from and further restrict independent claim 1 in a patentable sense. Applicant respectfully submits that, for at least the reasons set forth above with respect to the rejection of independent claim 1, dependent claims 3 and 6 distinguish over MacNally and are in condition for allowance. Withdrawal of the rejection of dependent claims 3 and 6 is respectfully requested.

Independent claim 35 relates to a receiver for adaptively filtering a signal. Applicant has amended claim 35 to include features of dependent claim 18, which has been indicated by the Examiner to represent allowable subject matter. Applicant respectfully submits that amended claim 35 distinguishes over MacNally and is in condition for allowance. Withdrawal of the rejection of amended claim 35 as anticipated by MacNally is respectfully requested.

Claims 2, 39, and 41 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over MacNally in view of U.S. Patent No. 6,141,372 to Chalmers ("Chalmers").

Dependent claims 2 and 39 depend from and further restrict independent claim 1 in a patentable sense and therefore also distinguish over MacNally. Dependent claim 41 depends from and further restricts independent claim 35 in a patentable sense and therefore also distinguishes over MacNally. In rejecting claims 2, 39, and 41, the Examiner has further applied Chalmers. Applicant respectfully submits that Chalmers fails to cure the deficiencies of MacNally noted above with respect to independent claims 1 and 35, respectively. Applicant respectfully submits that dependent claims 2, 39, and 41 distinguish over the cited combination of MacNally and Chalmers and respectfully requests that the rejection thereof be withdrawn.

Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over MacNally in view of U.S. Patent No. 5,512,898 to Norsworthy et al. ("Norsworthy"). Dependent claim 4 has been canceled, thus rendering the rejection of claim 4 moot.

Claims 13, 17, 20-24, 38, and 40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over MacNally.

Independent claim 13 relates to an apparatus for adaptively filtering a signal. Applicant has amended claims 13 to include features of dependent claim 18, which has been indicated by the Examiner to represent allowable subject matter. Applicant respectfully submits that amended claim 13 distinguishes over MacNally and is in condition for allowance. Withdrawal of the rejection of amended claim 13 as being unpatentable over MacNally is respectfully requested.

Dependent claims 17 and 20-24 depend from and further restrict independent claim 13 in a patentable sense. Dependent claim 38 depends from and further restricts independent claim 1 in a patentable sense. Dependent claim 40 depends from and further restricts independent claim 35 in a patentable sense. Applicant respectfully submits that, for at least the reasons set forth above with respect to the rejection of independent claims 13, 1, and 35, respectively, dependent claims 17, 20-24, 38, and 40 distinguish over MacNally and are in

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condition for allowance. Withdrawal of the rejection of dependent claims 17, 20-24, 38, and 40 is respectfully requested.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Dated: Feb. 8, 2005

Respectfully submitted,

By 

Ross T. Robinson

Registration No.: 47,031

JENKENS & GILCHRIST, A PROFESSIONAL
CORPORATION

1445 Ross Avenue, Suite 3200

Dallas, Texas 75202

(214) 855-4500

Attorneys For Applicant